

# EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF WEST VIRGINIA**

**Wheeling Division**

**DAVID and ROXIE VANCE and  
CARLA SHULTZ, individually  
and on behalf of a class of all  
persons and entities similarly situated,**

**Plaintiffs,**

**vs.**

**Case No. 5:17-cv-00179-JPB**

**DIRECTV, LLC,**

**Defendant.**

**DECLARATION OF ANTHONY I. PARONICH**

Anthony I. Paronich declares as follows:

1. I make this declaration in support of Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards.

2. I am an attorney duly admitted to practice in the Commonwealth of Massachusetts, I am over 18 years of age, and I am competent to testify and make this affidavit on personal knowledge. I have extensive experience in the prosecution of class actions on behalf of consumers, particularly claims under the TCPA.

3. I have been involved in every stage of representing Plaintiffs in this case, from pre-trial investigation, analysis of Plaintiffs' potential claims, witness interviews, review of documents and discovery responses as well as depositions, motion practice, oral arguments and work on the four appeals filed in this action by DirecTV.

4. Class Counsel have received no payment for their fees and costs. Since opening my firm in March 2019 and continuing my work on this case, my firm worked with no guarantee of being compensated for its time and efforts. Payment of my fees has always been contingent on successfully obtaining relief for the Plaintiffs and class members. As a result, there was a substantial

risk of non-payment, particularly in light of the legal challenges involved in litigating this case. Work on this case has necessarily been to the exclusion of work on other matters that likely would have generated fees. I have also been denied use of the fees it earned over the course of this case.

5. The lodestar does not include the work Class Counsel will do after completion of this motion, which will include working with the settlement administrator, preparing the motion for final approval and attending the hearing, and communicating with class members.

6. My firm spent 277.8 attorney hours prosecuting Plaintiffs' claims (my hours spent on the case at my prior firm are reflected in the lodestar attested to by Edward Broderick of Broderick Law, P.C). Billed at my hourly rate of \$650, my firm's hours yield a lodestar of \$180,570. I am familiar with the billing rates for attorneys with similar experience, particularly with expertise in matters arising under the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* and my billing rate and that is reasonable and is consistent with the rates of attorneys of similar experience and qualification. My firm additionally incurred \$1,382 in reasonable and necessary expenses in the litigation, including expert witness charges, deposition charges, travel, mediator fees and court charges.

#### **Qualifications of Counsel**

7. I am a 2010 graduate of Suffolk Law School. In 2010, I was admitted to the Bar in Massachusetts. Since then, I have been admitted to practice before the Federal District Court for the District of Massachusetts, the Northern District of Illinois, the Eastern District of Michigan, the Western District of Wisconsin, the Southern District of Indiana, the First Circuit Court of Appeals, the Seventh Circuit Court of Appeals, and the Ninth Circuit Court of Appeals. From time to time, I have appeared in other State and Federal District Courts *pro hac vice*. I am in good standing in every court to which I am admitted to practice.

8. I was an associate at Broderick Law, P.C. in Boston, Massachusetts from 2010 through 2016.

9. I was a partner at Broderick & Paronich, P.C. in Boston, Massachusetts from 2016 through 2019.

10. In 2019, I started Paronich Law, P.C., focused on protecting consumers in class action lawsuits.

11. I have been appointed class counsel in more than 35 TCPA cases, including the following:

- i. Desai and Charvat v. ADT Security Services, Inc., USDC, N.D. Ill., 11-CV-1925, a TCPA class settlement of \$15,000,000 granted final approval on June 21, 2013.
- ii. Jay Clogg Realty Group, Inc. v. Burger King Corporation, USDC, D. Md., 13-cv-00662, a TCPA class settlement of \$8,500,000 granted final approval on April 15, 2015.
- iii. Charvat v. AEP Energy, Inc., USDC, N.D. Ill., 1:14-cv-03121, a TCPA class settlement of \$6,000,000 granted final approval on September 28, 2015.
- iv. Bull v. US Coachways, Inc., USDC, N.D. Ill., 1:14-cv-05789, a TCPA class settlement finally approved on November 11, 2016 with an agreement for judgment in the amount of \$49,932,375 and an assignment of rights against defendant's insurance carrier.
- v. Smith v. State Farm Mut. Auto. Ins. Co., et. al., USDC, N.D. Ill., 1:13-cv-02018, a TCPA class settlement of \$7,000,000.00 granted final approval on December 8, 2016.
- vi. Mey v. Frontier Communications Corporation, USDC, D. Conn., 3:13-cv-1191-MPS, a TCPA class settlement of \$11,000,000 granted final approval on June 2, 2017.
- vii. Heidarpour v. Central Payment Co., USDC, M.D. Ga., 15-cv-139, a TCPA class settlement of \$6,500,000 granted final approval on May 4, 2017.
- viii. Abante Rooter and Plumbing, Inc. v. Birch Communications, Inc., USDC, N.D. Ga., 1:15-CV-03562-AT, a TCPA class settlement of \$12,000,000 granted final approval on December 14, 2017.
- ix. Abante Rooter and Plumbing, Inc. v. Pivotal Payments, Inc., USDC, N.D. Cal., 3:16-cv-05486-JCS, a TCPA class settlement of \$9,000,000 granted final approval on October 15, 2018.

- x. In re Monitronics International, Inc., USDC, N.D.W. Va., 1:13-md-02493-JPB-JES, a TCPA class settlement of \$28,000,000 granted final approval on June 12, 2018.
- xi. Thomas Krakauer v. Dish Network, L.L.C., USDC, M.D.N.C., 1:14-CV-333 on September 9, 2015. Following a contested class certification motion, this case went to trial in January of 2017 returning a verdict of \$20,446,400. On May 22, 2017, this amount was trebled by the Court after finding that Dish Network's violations were "willful or knowing", for a revised damages award of \$61,339,200. (Dkt. No. 338). The Fourth Circuit Court of Appeals unanimously affirmed the judgment in May of 2019. *Krakauer v. Dish Network, L.L.C.*, 925 F.3d 643 (4th Cir. 2019). The United States Supreme Court rejected *certiorari* of this matter in December of 2019. *See DISH Network L.L.C. v. Krakauer*, 140 S. Ct. 676 (2019).
- xii. Abante Rooter and Plumbing, Inc. v. Alarm.com Incorporated, et. al., USDC, N.D. Cal., 4:15-cv-06314-YGR, a TCPA class settlement of \$28,000,000 granted final approval on August 13, 2019.
- xiii. Charvat v. Carnival Corporation & PLC, et. al., USDC, N.D. Ill., 1:13-cv-00042, a TCPA class settlement of \$12,500,000 granted final approval in April of 2020.
- xiv. Loftus v. Sunrun, Inc., USDC, N.D. Cal., 3:19-cv-1608, a TCPA class settlement of \$5,500,000 granted final approval on May 11, 2021.
- xv. Murray, et. al. v. Grocery Delivery E-Services USA Inc. d/b/a HelloFresh, D. MA., Civil Action no. 19-cv-12608, a TCPA class settlement of \$14,000,000 granted final approval on October 15, 2021.
- xvi. Perrong v. Orbit Energy & Power, LLC, E.D. PA., Civil Action No. 21-cv-777, a TCPA class settlement of \$6,000,000 granted preliminary approval on March 7, 2022.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE SIGNED UNDER PENALTY OF PERJURY OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT EXECUTED THIS THIS 22nd DAY OF JUNE, 2023, IN THE COMMONWEALTH OF MASSACHUSETTS.

/s/ Anthony I. Paronich  
Anthony I. Paronich